

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TERRY LYNN BRAINE,

Defendant.

CR 19-64-BLG-SPW

NOTICE TO COUNSEL AND
REQUEST FOR RESPONSE

This Court received notice from the USMS that the current bed-wait at the Federal Medical Facility in Butner, North Carolina is 15 – 18 weeks. Therefore, Justice Prisoner & Alien Transportation System (JPATS) is requesting an extension date of December 31, 2020 in which to transfer the Defendant. The e-mail reads as follows:

The Medical facility where this inmate is designated has a wait list for available beds. Generally, JPATS will start transportation at least one week before the anticipated bed availability so that they get into the facility the same week the bed becomes available. Bed waits are currently over 30 days at several BOP Medical facilities due to national manning and facility capacity issues, and due to the types of studies that each facility can perform. The BOP is doing their best to hire and maintain the staff required to keep up with the demand, and has maximized the numbers and frequency of beds that they make available to us. However this current shortfall has created uncontrollable delays in the availability of beds for a growing list of patients.

Therefore, the Court is requesting that counsel for both the United States and the Defendant file a response to this Notice by **October 2, 2020** indicating whether or not they object to this extension request.

DATED this 28th day of September, 2020.



SUSAN P. WATTERS
United States District Judge